

DIAA Board of Directors' Meeting Minutes
July 8, 2004
Cabinet Room, Townsend Building

I. Opening

A. Call to Order

The meeting was called to order at 9:25 a.m. by DIAA Chairperson Gerald Kobasa.

B. Roll Call

The following DIAA Board members were present: Gerald Kobasa, Mark Holodick, Dr. Robert Andrzejewski, Phyllis Kohel, Kathleen Wilbur, Joan Samonisky, William Passwaters, Ted Williams, Robert Reed, Dr. Jeffrey Hawtof, and Ed Kee. Jack Holloway, Executive Director, and Mary Cooke, Deputy Attorney General, were also in attendance. Dr. Kevin Carson, Dr. Lewis Atkinson, Gerald Allen, Sue Spilecki, Zane Robinson, Dr. Garrett Lyons, and Sister Ann Michele were unable to attend.

C. Approval of Agenda

Dr. Hawtof made a motion to approve the agenda with the addendum. The motion was seconded by Dr. Andrzejewski and carried unanimously.

D. Approval of Minutes of the June 10, 2004 Board of Directors' Meeting

Mr. Reed made a motion to approve the minutes of the June 10, 2004 Board of Directors' Meeting with a correction in who made the motion to adjourn. The motion was seconded by Dr. Andrzejewski and carried unanimously.

II. Public Comment

None.

III. Action Items

A. Request by Sussex Academy of the Arts & Sciences for Membership

Mr. Holloway commented that he received a call several weeks ago from Sussex Academy requesting to become a member but were not sure whether they could be in attendance today. Mr. Holloway asked that this be moved to the next meeting.

B. Request by Mt. Pleasant High School for a Waiver of Reg. 1009.2.0 Eligibility on behalf of Kareem Campbell

Mr. Kobasa informed the Board that Mr. Holodick was recusing himself from this hearing because he has knowledge of the situation regarding Kareem Campbell. Mr. Kobasa commented that since Mr. Holodick was recusing himself from this request,

the Board would have to wait for another member to arrive so that there would be a quorum and that we would have to move to the next item.

D. Adoption of the Proposed Budget for 2004-05

Mr. Holloway reviewed the proposed budget. Mr. Kobasa commented that he received a call from Mr. Robinson regarding some concerns he had with the proposed budget. Mr. Kobasa stated that Mr. Robinson commented on the total expenditures and asked how our budget could exceed \$500,000.00 and why the salary of the Executive Director was listed as \$116,104.00. Mr. Holloway informed the Board that he had spoken with Mr. Robinson and had also spoken with Senator Vaughn. Mr. Holloway stated that he was informed by Senator Vaughn that our funds are authorized by the Joint Finance Committee and the Budget Office and that DIAA is authorized to spend \$500,000.00 at this time. Mr. Holloway was also informed that DIAA will have to get approval from the Joint Finance Committee to increase our expenditures. Mr. Holloway explained that he was informed that he needs to file for a waiver for an increased authorization. Mr. Holloway informed the Board that he has spoken with Jerry Gallagher, Budget Director for the Department of Education, and he has initiated the paperwork for a change in authorization. Mr. Holloway stated that he did inform Senator Vaughn that he would be presenting a budget that was in excess of our authorization but that we are seeking new authorization through the budget process. Mr. Holloway commented that Senator Vaughn was satisfied with this as long as DIAA is going through the correct procedure. Mr. Holloway stated that the listed salary of the Executive Director included OEC benefits and was not just salary. He mentioned that the position is paid according to DOE criteria. Mr. Holloway indicated that the proposed budget is in balance. Mr. Williams made a motion to approve the proposed budget presented. Some discussion ensued regarding appropriated funds and whether or not DIAA could request them if needed. The motion was seconded by Mr. Passwaters and carried unanimously.

C. Request by Glasgow High School for Waiver of Reg. 1009.2.7 Participation on behalf of Devin Dalton

Kevin Scannell, football coach at Glasgow High School, Debbie Dalton; mother of Devin Dalton, and Devin Dalton were in attendance to present this request. A quorum of the Board was present for the hearing. Ms. Dalton requested that the hearing be held in public session. The hearing proceeded according to DIAA rules and regulations. Mr. Kobasa reviewed all documents regarding this request. Ms. Dalton stated that one of the letters in the packet from Mr. Connelly was not accurate. Mr. Scannell explained that he filed the request for waiver of 14 DE Admin. Code 1009.2.7.1, on behalf of Devin Dalton, because when Devin transferred from his school in Pennsylvania to Glasgow High School, his mother asked the administration at Glasgow High School to hold Devin back to repeat the eleventh grade because she believed that Devin had been pushed through the system. Ms. Dalton felt that Devin would benefit academically if held back. Ms. Dalton commented that she was unaware of the fifth-year eligibility rule but stated that had she been aware, she still

would have held him back. A Board member asked Ms. Dalton to explain to the Board the hardship which she is basing her request on. Ms. Dalton responded by saying the hardship was personal, but declined to offer any details. Mr. Passwaters made a motion to deny the request based on the fact that Glasgow and Devin did not meet their burden of proof of a hardship as set forth in 14 DE Admin. Code 1009.2.7.1. The motion was seconded by Mr. Kee and carried unanimously.

E. Sanction of Tournament Events

Mr. Holloway commented that there are twelve events that need to be sanctioned two of which are out-of-state tournaments. Mr. Holloway commented that the Diamond State Classic filed their financial report and everything seemed to be in order. Mr. Holloway explained that all schools will have to sign the Eligibility Verification Form in order to participate. Mr. Holloway commented that the Tiger Wrestling Classic has also invited out-of-state teams and will have to sign the Eligibility Verification Form. Mr. Holloway commented that he would recommend the sanctioning of these tournaments. Dr. Hawtof made a motion to approve the sanctioning of the twelve tournaments. The motion was seconded by Ms. Kohel and carried unanimously.

F. Adjustment of the Final Year of the Officials Contract

Mr. Holloway explained that the current officials fee schedule was created two years ago using data concerned with time of contests and other certain subjective criteria. Mr. Holloway commented that the previous fee schedule declined raises to five particular sports which were all female sports. Mr. Holloway felt that the contract should be changed because of possible inequities between male and female sports. Mr. Holloway asked the Board to review the proposed fee schedule and stated that it would be for only one year at which time the DIOC would then review and come to this Board with a new fee schedule. Mr. Holloway stated that the economical impact to the schools would be minimal. Mr. Kee made a motion to approve the proposed fee schedule. The motion was seconded by Dr. Hawtof and carried unanimously. Mr. Holloway then commented on the allowance for travel which is included in the officials contract. Mr. Holloway explained that the current contract has an allowance of \$5.00 for officials who are asked to travel across a county line and \$10.00 for officials who travel across two county lines. Mr. Holloway commented that he was suggesting increasing the amounts to \$10.00 and \$20.00 due to the increase in gasoline prices. Mr. Williams made a motion to increase the travel reimbursement for officials as suggested by the Executive Director. The motion was seconded by Mr. Kee and carried unanimously.

B. Request by Mt. Pleasant High School for Waiver of Reg. 1009.2.0 Eligibility on Behalf of Kareem Campbell

Mr. Holodick recused himself from this matter. Mike Pullig, assistant principal at Mt. Pleasant High School, Maguerite Campbell; Kareem's grandmother, and Kareem

Campbell were in attendance to present this request. A quorum of the Board was present for the hearing. Mr. Pullig and Kareem requested that the hearing be held in open session. The hearing proceeded according to DIAA rules and regulations. Mr. Kobasa reviewed all documents pertaining to this request. Testimony in support of the waiver request was received from Mr. Pullig and Kareem Campbell. Mr. Pullig and Kareem explained to the Board that this waiver request was filed because of a hardship claim based on Kareem's failure to receive appropriate educational services consistent with his needs as a special education student during his initial ninth grade year (2000-01) which in turn caused him to be retained, thus necessitating a fifth year of high school. In response to questions from Board members, Kareem testified regarding his excessive rate of absences and tardies both during the 2000-01 school year and subsequent to his identification as a special education student.

The Board recessed at 11:35 a.m. and reconvened at 11:40 a.m.

Dr. Hawtof made a motion to go into deliberation at 11:45 a.m. The motion was seconded by Dr. Andrzejewski and carried unanimously. While in deliberation the request by Kareem Campbell was discussed. Dr. Hawtof made a motion to go back into public session. The motion was seconded by Mr. Passwaters and carried unanimously. Mr. Williams made a motion to grant the waiver request for the entire 2004-05 school year on the grounds that the hardship was not caused by student or his family but rather was the result of a miscommunication from the school district. The motion was seconded by Dr. Hawtof and failed by a vote of 5 – yes (Andrzejewski, Samonisky, Williams, Reed, Hawtof), and 5 – no (Kobasa, Kohel, Wilbur, Passwaters, and Kee).

G. Request by Caravel Academy to Change Associate Membership to Full Membership

Mr. Holloway explained that he received a letter from Caravel Academy requesting to change their associate membership to full membership. Mr. Holloway commented that they are a member in good standing and would recommend approving. Mr. Passwaters made a motion to approve the request by Caravel Academy. The motion was seconded by Mr. Reed and carried unanimously.

H. Request by Wilmington Christian School for Renewal of Associate Membership

Mr. Holloway explained that he received a letter from Wilmington Christian School requesting renewal of their associate membership and were asking for waivers to DIAA Rules 1.4.2 Transfer and 5.1 Participation. Mr. Holloway recommended approval. Ms. Wilbur made a motion to approve the request. The motion was seconded by Mr. Williams and carried unanimously.

IV. Executive Director Report

A. NFHS Summer Meetings

Mr. Holloway commented that he recently attended his first summer meeting and felt that the meeting was outstanding and very informative and received a lot of useful material. Mr. Holloway also commented on the discussions regarding the wrestling weight management program and stated that the national level chose not to implement this program for this year but that this state as well as other states will still be using this program.

B. DIAA Leadership Conference

Mr. Holloway commented that in the packet of information sent to the members there was an invitation to the DIAA Leadership Conference to be held August 6 – 8 at the University of Delaware Virden Center in Lewes along with a schedule of events.

V. Presentation and Discussion

A. Review Reg. 1009.2.8.1.2 Foreign Exchange Students Old Reg. 1051.7.1.2

Mr. Holloway reviewed with the members a situation involving the CSIET program and asked the Board if they were in favor of recognizing schools that do not go through CSIET. After some discussion the consensus of the Board was to stay with the programs that come through the CSIET program.

VI. Other

Ms. Cooke updated the members on the current appeal and stated that it is scheduled for July 9, 2004 at 4:00 p.m.

VII. Public Comment

None

VIII. Adjournment

Mr. Williams made a motion to adjourn at 12:55 a.m. The motion was seconded by Mr. Passwaters and carried unanimously.

Tina Tyre